

Appl. No. 09/727,174
Amdt. dated January 29, 2003
Reply to Office action of 10/29/2003

REMARKS/ARGUMENTS

This Amendment is intended to be a complete response to the Office Action of October 29, 2003 and the case is believed to be in condition for allowance. Accordingly, reconsideration is respectfully requested.

Status of the Claims

Claims 32-53 are pending in the application. Claims 32-36 were allowed in the Office action. Claims 37, 42, 46-53 were rejected in the Office Action. Claims 41 and 43-45 were objected to in the Office action. Claims 37, 41, 42, and 44 are amended herein. Claim 43 is cancelled herein without prejudice.

The Claims

35 USC 102 and 35 USC 103

Independent Claim 42 was rejected under 35 USC 102(b) as being anticipated by Shinagawa et al. (Japanese Patent Number 01280889A) and Independent Claims 37 (and Claims 46-53) was rejected under 35 USC 103(a) as unpatentable over Shinagawa et al. (Japanese Patent Number 01280889A) and further in view of Kawan (U.S. Patent Number 5,796,832. However, in both the case of Claim 37 and Claim 42 the Examiner has indicated that a dependent claim depending from these independent claims, respectively, would be patentable if rewritten in independent form, namely, Claim 41 with respect to Claim 37 and Claim 43 with respect to Claim 42. Applicants have amended Claims 37 and 42, respectively, to incorporate limitations from these dependent claims, respectively. Applicants submit that as amended Claims 37 and 42 are both patentable over the prior art and should be allowed.

Dependent claims 44 and 45, depend from Claim 42, and Claims 41, and 46 through 53 depend from Claim 37, incorporate the limitations of their respective base claims, provide further new and non-obvious combinations, and should be allowed for the reasons given in support of Claims 37 and 42, respectively, and by virtue of such further combinations.

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Allowable Subject Matter

Applicants thank the Examiner for indicating that Claims 32-36 are allowed and that Claims 41 and 43-45 would be allowable if rewritten in independent form incorporating the limitations of the base claims and intervening claims. Applicants posit that the base claims have now been rewritten to incorporate the allowable limitations.

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CONCLUSION

It is submitted that all of the claims now in the application are allowable. Applicants respectfully request reconsideration of the application and claims and its early allowance. If the Examiner believes that the prosecution of the application would be facilitated by a telephonic interview, Applicants invite the Examiner to contact the undersigned at the number given below.

No fees are believed to be due in connection with this Response.

Applicants respectfully request that a timely Notice of Allowance be issued in this application.

Respectfully submitted,



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Date: Jan 29, 2004

Enclosures:

1. Facsimile Transmittal Sheet (1 page)
2. Transmittal Form (1 page)
3. Certificate of Transmission by Facsimile (1 page)
4. Amendment Transmittal Form and duplicate copy of page 2 (3 pages)

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